

According to what I understood from newsreports, the FCC decided to not prevent the Sinclair organization from pre-empting the regular programming of its stations in "battleground states" next week to air an anti-Kerry infomercial, because this would be an infringement of Sinclair's First Amendment rights. I think your reasoning in this respect is flawed. Of course, like anybody, the management of this business has the right to ventilate its opinions. What is at issue here, however, is that a commercial operation, which has been granted a limited monopoly to a scarce resource (to wit certain TV-frequencies in certain local markets) and is therefore regulated by the FCC, is about to use that monopoly facility in a possibly illegal manner. FCC licensees are clearly not free to use the airwaves in any way they like. Otherwise you would not have been able to fine several large networks recently for what you deemed to be "indecent" broadcasts, but what others considered "free speech". Why is "indecent" of one kind not allowed, and of another kind encouraged as "free speech"? I am sure this decision of yours is going to be contested in the courts for a long time, and you and Sinclair will eventually lose, but why not do the ethical thing now?